

**2595. Misbranding of Dainty Maid Service. U. S. v. 13 Sets \* \* \*. (F. D. C. No. 25479. Sample No. 48003-K.)**

**LIBEL FILED:** August 23, 1948, Middle District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about June 4 and July 15, 1948, by Dainty Maid, Inc., from Middlefield, Conn.

**PRODUCT:** 13 sets of *Dainty Maid Service* at Camp Hill, Pa. Examination showed that each set consisted of one booklet entitled "Why Haven't We Women been told this Thing before," one small carton labeled "Return Flow Earigator" which contained one glass device, 1 1-pound jar labeled "Dainty Maid Hygenic Powder," 1 green rubber bag, 1 green rubber nozzle labeled in raised letters "Dainty Maid Colonator," 1 piece of green rubber tubing 52 inches long, 1 piece of green rubber tubing 4 inches long, 1 steel clamp, 1 plastic measuring cup, and a return flow syringe device.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the booklet were false and misleading. These statements represented and suggested that cleansing the vagina would be effective in preventing loss of youthful looks, irritableness, rough and pimpled skins, wrinkles on a young face, headaches, backaches, fatigue, offensive body odor, internal uncleanness, sallowness, drawn face, prematurely gray hair, withered cheeks, wrinkles, scrawniness, other unlovely, visible signs of neglected inward hygiene, odorless discharges, and leucorrhea. The article would not be effective for the purposes represented and suggested.

**DISPOSITION:** November 5, 1948. Default decree of condemnation and destruction.

**DRUGS FOR VETERINARY USE**

**2596. Adulteration and misbranding of Fox No. 1 Mineral Feed and misbranding of Poultrate, Fox Special No. 7, Vetrone, and Fox Triumph Swine Liquid. U. S. v. 17 Bags, etc. (F. D. C. No. 25079. Sample Nos. 25384-K to 25387-K, incl., 25389-K.)**

**LIBELS FILED:** July 17, 1948, District of Minnesota.

**ALLEGED SHIPMENT:** On or about August 18, 1947, and January 23 and April 9, 1948, by Foxbilt Feeds, Inc., from Des Moines, Iowa.

**PRODUCT:** 17 100-pound bags of *Fox No. 1 Mineral Feed*, 55 100-pound bags of *Poultrate*, 10 1-pound cans of *Fox Special No. 7*, 1 1-gallon bottle of *Vetrone*, and 6 bottles of *Fox Triumph Swine Liquid* at Windom, Minn., together with a number of booklets entitled "Calling All Hens," received from Foxbilt Feeds, Inc., in May 1947, and a number of copies of a booklet entitled "Foxbilt Feeds," delivered by a salesman of the corporation during March 1948.

Analyses disclosed that the *Fox No. 1 Mineral Feed* was a stock feed containing charcoal, sulfur, calcium oxide or carbonate, and less than the declared amount of phosphorus; that the *Poultrate* was a stock feed containing protein, salt, iodine, and calcium carbonate and phosphate; and that the *Fox Special No. 7* was a tan aromatic powder. The *Vetrone* was indicated by its label to consist of ferric sulfate, cobalt sulfate, magnesium sulfate, ferrous sulfate, manganese sulfate, and aluminum sulfate, and the *Fox Triumph Swine Liquid* to consist of thymol, creosote, soda ash, sodium hydroxide, and salt.

**NATURE OF CHARGE:** *Fox No. 1 Mineral Feed*. Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, namely, "Phosphorus not less than 50%." Misbranding, Section 502 (a), the

labeling of the article contained false and misleading statements. The statements represented and suggested that the article was effective in the treatment of shoats and gilts, where digestive disorders exist; that it was effective for pig and stock hog conditioning; for all types of unthrifty and backward conditions; for pigs when they go off their feed; for all types of horses in a weakened run-down condition; and for all types of sheep; and, further, that it was effective in the treatment of out-of-condition animals and poultry, and for flushing out birds when in a run-down condition. The article would not be effective in the treatment of such diseases and conditions.

*Poultrate.* Misbranding, Section 502 (a), the labeling of the article contained statements and designs which were false and misleading. The statements and designs represented and suggested that the article was effective in the prevention and treatment of coccidiosis, worms, cholera, typhoid, colds, roup, tuberculosis, and blackhead of poultry. The article when used as directed would not be effective for such purposes.

*Fox Special No. 7.* Misbranding, Section 502 (b) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents; Section 502 (e) (2), the label of the article failed to bear the common or usual name of each active ingredient; and, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use.

*Vetrone.* Misbranding, Section 502 (a), the labeling of the article contained false and misleading statements. The statements represented and suggested that the article was effective in the prevention and treatment of diseases of poultry, hogs, and dairy cows. The article would not be effective for such diseases.

*Fox Triumph Swine Liquid.* Misbranding, Section 502 (a), the can label of the article bore false and misleading statements. The statements represented and suggested that the article when used in connection with *Fox No. 1 Mineral Feed*, would be of value in the prevention and treatment of diseased conditions of swine and would be effective in alkalinizing the intestinal tract of swine. The article would not be of value or effective for such purposes.

DISPOSITION: November 10, 1948. Foxbilt Feeds, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond for reprocessing and relabeling, under the supervision of the Federal Security Agency.

✓ 2597. Misbranding of Calfurdine. U. S. v. 29 Bottles \* \* \* (and 1 other seizure action). (F. D. C. Nos. 25359, 25515. Sample Nos. 28187-K, 29910-K.)

LIBELS FILED: August 23 and September 8, 1948, District of New Mexico.

ALLEGED SHIPMENT: By the Germ-O-Tone Laboratories, from Phoenix, Ariz.

The product was shipped on or about December 16 and 24, 1947, and a number of circulars were delivered on or about December 15 and 31, 1947.

PRODUCT: *Calfurdine*. 58 bottles at Roswell, N. Mex., and 130 bottles and 17 jugs at Albuquerque, N. Mex., together with a number of circulars relating to the product entitled "Important Information Published For: Poultrymen Rabbitries Livestock Producers Pet & Game Bird Raisers and Fur Bearing Animal Farms." The bottles were in 8-ounce, 16-ounce, and 32-ounce sizes, and the jugs were in ½-gallon and 1-gallon sizes.

LABEL, IN PART: "Flowers of Sulfur . . . 0.09 Iodine . . . 0.04 Lime . . . 1.39 (Total Sulfur . . . 3.08) Calcium Thio-Sulphate . . . 0.68 Calcium Polysulphide . . . 2.31 Potassium nitrate . . . 0.79 Inert . . . 94.70."